MEETINGS TO DATE 14 NO. OF REGULARS 12 NO. OF SPECIALS 2

LANCASTER, NEW YORK JUNE 15, 1987

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 15th day of June 1987, at 8:00 P.M. and there were

PRESENT:

RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN
STANLEY JAY KEYSA, SUPERVISOR

ABSENT:

NONE

ALSO PRESENT:

ROBERT P. THILL, TOWN CLERK

RICHARD J. SHERWOOD, TOWN ATTORNEY

NICHOLAS LO CICERO, DEPUTY TOWN ATTORNEY

ROBERT L. LANEY, BUILDING INSPECTOR

ROBERT LABENSKI, TOWN ENGINEER
THOMAS E. FOWLER, CHIEF OF POLICE

PUBLIC HEARING SCHEDULED FOR 8:15 P.M.:

At 8:15 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed rezone petition of James DiLapo, Jr.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed to the Petitioner, the Erie County Division of Planning, and the Town Clerks of the Towns of Cheektowaga, Elma, and West Seneca, notifying them of the time and place of this Public Hearing.

The Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending approval of the proposed rezone.

PROPONENTS

ADDRESS

James DiLapo, Jr., the petitioner

40 Clark St., Elma

OPPONENTS

ADDRESS

None

QUESTIONS

ADDRESS

Mary Refermat

27 Lombardy St., Lancaster

PUBLIC HEARING SCHEDULED FOR 8:15 P.M. CONT'D.:

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:40 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:45 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed rezone petition of Richard E. Ulrich.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed to the Petitioner and the Erie County Division of Planning, notifying them of the time and place of this Public Hearing.

The Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending approval of the proposed rezone.

PROPONENTS

ADDRESS

Richard E. Ollich. The Dellinone	Richard E. UI	rich. the	petitioner
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18 Cemetery Rd., Lancaster

OPPONENTS

ADDRESS

Albert Sweet	6181 Broadway, Lancaster
Inez Sweet	6181 Broadway, Lancaster
Ronald Kumro	6158 Broadway, Lancaster
Arthur Weibel	6136 Broadway, Lancaster
Stanley Chudy	6139 Broadway, Lancaster
Hudson Phillips	6170 Broadway, Lancaster
Arlene Budzynski	6170 Broadway, Lancaster

QUESTIONS

None

ON MOTION BY COUNCILMAN CZAPLA, AND SECONDED BY COUNCILMAN KWAK AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 9:05 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA, TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town Board, held on June 1, 1987 and the Joint Meeting of the Town Board and the Planning Board, held on June 3, 1987, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

WHEREAS, the Town of Lancaster has received a project grant for program year 1986-1987, pursuant to the Housing and Community Development Act of 1974, and

WHEREAS, the Director of the Community Development Program for Erie County has tendered an agreement between the County and the Town of Lancaster for the purpose of undertaking eligible activities under said grant,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the agreement between the County of Erie and the Town of Lancaster for the purpose of assisting and undertaking essential community development and housing assistance activities for the program year 1986-1987 for the following projects with approved project costs:

Barrier Removal-Public Buildings - \$7,000.00
 Drainage Improvements - 9,007.00
 Drainage District Planning - 5,000.00
 \$21,007.00

and

BE IT FURTHER

RESOLVED, that the Supervisor forward an executed copy of the Agreement and a certified copy of this resolution to the Director of the Community Development Fund.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES COUNCILMAN GIZA VOTED YES COUNCILMAN KWAK VOTED YES COUNCILMAN MILLER VOTED YES SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KWAK , TO WIT:

WHEREAS, National Fuel Gas Corporation has found it necessary to relocate a pipeline on Town Line Road from within the County right-of-way, and

WHEREAS, National Fuel Gas Corporation has proposed a right-of-way over certail real property owned by the Town of Lancaster on Town Line Road, to wit: the abandoned D.L.& W. right-of-way, and

WHEREAS, the Town Board deems it in the public interest to grant this right-of-way since the pipeline provides service to town residents,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute the Right-of-Way Agreement to National Fuel Gas Corporation in a form satisfactory to the Town Attorney.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

WHEREAS, ROBERT L. KAUSNER, 4859 Sawmill Road, Clarence, New York, has petitioned the Town Board of the Town of Lancaster for the rezone of certain property located at 1389 Ransom Road, south of the New York State

Thruway, from an SA-Suburban Agricultural District to an R2-General Residence District, and

WHEREAS, this Petition was referred to the Planning Board of the Town of Lancaster for review and recommendation, and

WHEREAS, a Public Hearing on this petition for proposed rezone was held by the Town Board of the Town of Lancaster on the 1st day of June, 1987, pursuant to public notice duly published and posted, and

WHEREAS, full opportunity to be heard was given to all parties in interest, and

WHEREAS, a review of the petition and report of the Planning Board,
Planning Consultant and Erie County Department of Planning, and the evidence
adduced at the said Public Hearing, and the Master Plan and Master Plan
revision, and Zoning Map of the Town of Lancaster, reveals the following facts:

- That the proposed rezone of the subject premises as an R2-General Residence District Use is to a use which is not presently provided for on the subject premises;
- 2. That the Zoning Ordinance of the Town of Lancaster was adopted on May 24, 1961 by the Town Board of the Town of Lancaster;
- 3. That there are areas within the Town of Lancaster which are presently zoned R2-General Residence District which would accommodate the petitioner's proposed use.
- 4. That the Petitioner knows the use group to which the subject premises is zoned, that being, SA-Suburban Agricultural District, and the use categories within the SA-Use Group as enumerated in the Town Zoning Ordinance.
- 5. That the Petitioner is on notice, by virtue of the Zoning Ordinance being a public record, that there are areas designated in the Zoning Ordinance and Zoning Map which are presently zoned to accommodate the Petitioner's proposed use.

- 6. That the Public Hearing held on June 1, 1987, on the instant rezone petition, the property owner appeared as proponent of the rezone and made the following points:
 - a. That the proposed two four-unit apartment buildings will be well constructed and constructed with all brick;
 - That at least initially some family members will live in some of the apartments;
- 7. That at said Public Hearing on the instant rezone petition, there were eight (8) opponents to the rezone who reside in the immediate proximity of the premises sought to be rezoned and made the following points:
 - That historically, the area has been Suburban Agricultural in nature and the neighbors do not want multi-family structures in the area;
 - The proposed rezone and resulting apartments will bring too many cars;
 - c. That the project site does not have sewers and therefore, septic systems would be necessary and therefore would be inappropriate since the area is close to wetlands;
 - d. That the property is accessible only through a private road and permission to use said road is legally vague;
 - e. That if the rezone would be granted, it would be inconsistent with prior rezone petitions;
 - f. That if the rezone is permitted and the apartments were built, they would reduce property values in the area.
- 8. That the area is predominantly SA-Suburban Agricultural zoning, with single-family homes;

and

WHEREAS, the denial of this Petition for Rezone will not deny the reasonable use of the real property to the owner thereof, and

WHEREAS, as the reclassification is inconsistent with the adjacent neighborhood in that it would be an intrusion of an R2-General Residence District into an SA-Suburban Agricultural District and therefore, the reclassification would be incompatible with the general welfare of the adjacent community, and

WHEREAS, the proposed reclassification does not fulfill a community need, but to the contrary, only fulfills the individual petitioner's needs, and

WHEREAS, the proposed rezone is not in harmony with the comprehensive master plan for the development of the Town of Lancaster and would be inconsistent with the SA-Suburban Agricultural units in the immediate area, and

WHEREAS, the proposed rezone would be an island of R2-General Residence District zoning in the middle of an SA-Suburban Agricultural District;

NOW, THEREFORE, BE IT

RESOLVED, that upon the testimony and evidence presented at the public hearing and based upon the foregoing findings, the petition of ROBERT L. KAUSNER, be and hereby is denied.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

WHEREAS, the Town of Lancaster is the recipient of a Local Assistance
Budget Grant from the State Legislature for the purpose of lighting
recreational athletic fields, and

WHEREAS, Krehbiel Associates, Inc., Consulting Engineers of the

Town of Lancaster, has submitted a proposal to provide engineering services

on this project,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster is hereby authorized to execute a contract with Krehbiel Associates, as submitted by that firm, for engineering services in an amount not to exceed \$1,900.00 pursuant to the terms of the proposal.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KWAK , TO WIT:

WHEREAS, the Lighting Committee of the Town Board of the Town of Lancaster has requested, and the New York State Electric and Gas Corporation has submitted a proposal, dated June 8, 1987, for improvement of street lighting in the Countryside Subdivision, within Consolidated Lighting District No. 1 of the Town of Lancaster, and

WHEREAS, the said Lighting Committee, after investigation, review and consideration has recommended the said installations.

NOW, THEREFORE, BE IT

RESOLVED, that the New York State Electric and Gas Corporation be and is hereby authorized to make the following installations:

COUNTRYSIDE SUBDIVISION

Install 23-3300 lumen post-top HPS lamps € \$93.15 ea. - \$2142.45.

COUNTRY PLACE (12)

Stds. 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29.

QUAIL HOLLOW (7)

Stds. 1, 2, 3, 4, 5, 6, 7.

ROBINS NEST COURT (4)

Stds. 1, 2, 3, 4.

TOTAL ANNUAL INCREASE \$2142.45

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

June 15, 1987

File: R-LGHTNG

PREFILED RESOLUTION NO. 7.

Kwak/	Accept	P. I. P. s	- Countryview	Fast	Phase	11
war/	Accept	F + F + F + S	- country y view	Last,	riiase	1 1

At the request of Councilman Kwak, Prefiled Resolution No. 7 was withdrawn for further study.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT

WHEREAS, JOHN J. NUTTLE and PHILLIP A. MARTORANA, 1021 Maple Road, Elma, New York, have petitioned the Town Board of the Town of Lancaster for the rezone of certain property located on the south side of Wehrle Drive, approximately 235.25 feet west of North Maple Drive, from an R1-Single Family Residence District to an R2-General Residence District, and

WHEREAS, this Petition was referred to the Planning Board of the Town of Lancaster for review and recommendation, and

WHEREAS, a Public Hearing on this petition for proposed rezone was held by the Town Board of the Town of Lancaster on the 1st day of June, 1987, pursuant to public notice duly published and posted, and

WHEREAS, full opportunity to be heard was given to all parties in interest, and

WHEREAS, a review of the petition and report of the Planning Board,
Planning Consultant and Erie County Department of Planning, and the evidence
adduced at the said Public Hearing, and the Master Plan and Master Plan
revision, and Zoning Map of the Town of Lancaster, reveals the following facts:

- That the proposed rezone of the subject premises as an R2-General Residence District Use is to a use which is not presently provided for on the subject premises;
- 2. That the Zoning Ordinance of the Town of Lancaster was adopted on May 24, 1961 by the Town Board of the Town of Lancaster;
- 3. That there are areas within the Town of Lancaster which are presently zoned R2-General Residence District which would accommodate the petitioner's proposed use;
- 4. That the Petitioners know the use group to which the subject premises is zoned, that being R1-Single Family Residence District, and the use categories within the R1-Use Group as enumerated in the Town Zoning Ordinance;
- 5. That the Petitioners are on notice, by virtue of the Zoning Ordinance being a public record, that there are areas designated in the zoning Ordinance and Zoning Map which are presently zoned to accommodate the Petitioners' proposed use;

- 6. That the Public Hearing held on June 1, 1987, on the instant rezone petition, the property owners appeared as proponents of the rezone and made the following points:
 - a. That the rezone is appropriate because Wehrle Drive is becoming more commercial; and
 - b. Argued the fact that there are no complaints from the Wehrle Drive residents.
- 7. That at said Public Hearing on the instant rezone petition, there were three (3) opponents to the rezone who reside in the immediate proximity of the premises sought to be rezoned and made the following points:
 - That historically, Maple Drive was rural and has developed very nicely into a well-kept R-1 development;
 - b. That apartment buildings in that location will deflate property values of the single-family residences in the neighborhood;
 - c. That the proposed development will add to an already congested traffic situation;
- That the area is predominantly R1-Single Family Residence zoning with single-family homes;

and

WHEREAS, the denial of this Petition for Rezone will not deny the reasonable use of the real property to the owner thereof, and

WHEREAS, as the reclassification is inconsistent with the adjacent neighborhood in that it would be an intrusion of an R2-General Residence District into an R1-Single Family Residence District and therefore, the reclassification would be incompatible with the general welfare of the adjacent community, and

WHEREAS, the proposed reclassification does not fulfill a community need, but to the contrary, only fulfills the individual petitioner's needs and

WHEREAS, the proposed rezone is not in harmony with the comprehensive master plan for the development of the Town of Lancaster and would be inconsistent with the R1-Single Family Residence units in the immediate area, and

WHEREAS, the proposed rezone would be an island of R2-General Residence District zoning in the middle of an R1-Single Family Residence District,

NOW, THEREFORE, BE IT

RESOLVED, that upon the testimony and evidence presented at the public hearing and based upon the foregoing findings; the petition of JOHN J. NUTTLE and PHILLIP A. MARTORANA, be and hereby is denied.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA, TO WIT:

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., by letter dated June 6, 1987, has requested the confirmation of two new members duly elected to the membership of the Bowmansville Volunteer Fire Association, Inc.,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the additions to the membership of the Bowmansville Volunteer Fire Association, Inc. of the following individuals:

PROBATIONARY LIMITED ACTIVE MEMBER

Denis Zgoda 42 East Home Road Bowmansville, New York

Joseph Grabowski 29 Stutzman Road Lancaster, New York

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

June 15, 1987

FILE: R-FIRE Page 1

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK, WHO MOVED ITS ABOPTION, SECONDED BY COUNCILMAN GIZA, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously advertised for bids for the furnishing of all materials, labor and equipment to install baseball diamond lighting at the Lancaster Central Senior High School, and

WHEREAS, bids were received on June 11, 1987 and referred to the Town Engineer for review and recommendation, and

WHEREAS, upon recommendation of Krehbiel Associates, the Town Consulting Engineer, the bid of G & M Electrical Contractors, 4804 Transit Road, Depew, New York 14043, in the amount of \$47,400.90 be accepted as the lowest responsible bid;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the bid for the aforementioned project to G & M ELECTRICAL CONTRACTORS, 4804 Transit Road, Depew, New York, the lowest responsible bidder, in the amount of \$47,400.00, and

BE IT FURTHER

RESOLVED, that the Superintendent of the Town of Lancaster be and is hereby authorized to execute a contract with G & M Electrical Contractors for the furnishing and installation of lighting as aforementioned for the contract price of \$47,400.00, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be authorized to set up a special Capital Fund Account transpiring funds thereto from the Playground Account under Trust and Agency in the amount of \$49,300.00, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be authorized to apply to the State of New York under the Local Assistance Budget Grant for 1986 for reimbursement of \$25,000.00 for this project.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK, WHO MOVED ITS ABOPTION, SECONDED BY COUNCILMAN GIZA, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously advertised for bids for the furnishing of all materials, labor and equipment to install baseball diamond lighting at the Lancaster Central Senior High School, and

WHEREAS, bids were received on June 11, 1987 and referred to the Town Engineer for review and recommendation, and

WHEREAS, upon recommendation of Krehbiel Associates, the Town Consulting Engineer, the bid of G & M Electrical Contractors, 4804 Transit Road, Depew, New York 14043, in the amount of \$47,400.00 be accepted as the lowest responsible bid;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the bid for the aforementioned project to G & M ELECTRICAL CONTRACTORS, 4804 Transit Road, Depew, New York, the lowest responsible bidder, in the amount of \$47,400.00, and

BE IT FURTHER

RESOLVED, that the Superintendent of the Town of Lancaster be and is hereby authorized to execute a contract with G & M Electrical Contractors for the furnishing and installation of lighting as aforementioned for the contract price of \$47,400.00, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be authorized to set up a special Capital Fund Account transpiring funds thereto from the Playground Account under Trust and Agency in the amount of \$49,300.00, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be authorized to apply to the State of New York under the Local Assistance Budget Grant for 1986 for reimbursement of \$25,000.00 for this project.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN GZAPLA VOTED YES COUNCILMAN GIZA VOTED YES COUNCILMAN KWAK VOTED YES SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

June 17, 1987

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER, TO WIT:

WHEREAS, REMO FISCHIONE,248 Lein Road, West Seneca, New York, has heretofore applied for approval of Indian Pine Village Subdivision, and

WHEREAS, the Planning Board, Planning Consultant, Town Engineers and Police Chief have given their approval to the filing of this subdivision,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

- 1. That the Town Board of the Town of Lancaster hereby approves the subdivision known as Indian Pine Village, filed by REMO FISCHIONE:
- 2. That the Town Clerk of the Town of Lancaster be and is hereby directed to properly endorse the approval of the Town Board of the Town of Lancaster on the linen copy thereof, and
- 3. That the Town Attorney be and is hereby directed to attend to the filing of said subdivision map in the Erie County Clerk's Office, and

BE IT FURTHER

RESOLVED, that it is a condition in this subdivision, for the issuance of an occupancy permit, that the contractor of each dwelling shall plant two

(2) trees on each lot in the public right-of-way, said trees to be of a height, caliper and variety as to be directed by the Chairman of the Tree Planting

Committee of the Town Board of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted. June 15, 1987 THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCIMLAN GIZA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER, TO WIT:

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated June 11, 1987, hs recommended appointments to various positions in the Summer Theatre Workshop Program and Summer Art Program of said bureau,

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and are hereby appointed to Summer Theatre Workshop and Summer Art Program positions, at an hourly rate as specified for each position:

SUMMER THEATRE WORKSHOP

MIC	LAN	DIRECTOR
MU5	LCAL	DIRECTOR

CHOREOGRAPHER

Michael Musial 14 Christine Ct. Depew, N.Y. 14043

\$7.00 per hour

John Greenan 204 Burbank Dr. Snyder, N.Y. 14226 \$7.00 per hour

TECHNICAL DIRECTOR Ronald Pokorski 20 Old Schoolhousse

\$7.00 per hour Lancaster, N.Y. 14086

DIRECTOR FOR CHILDREN'S PRODUCTION Richard Grupka \$7.00 per hour 1 Cadet Circle Lancaster, N.Y. 14086

SUMMER ART PROGRAM

ART INSTRUCTOR

ASS'T ART INSTRUCTOR

Depew, N.Y. 14043

Kathleen McCarthy \$5.00 per hour 52 Cotton Street Lancaster, N.Y. 14086

Jonathon Riley 124 Cheryl Lane \$3.50 per hour

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

> COUNCILMAN CZAPLA VOTED YES COUNCILMAN GIZA **VOTED** YES COUNCILMAN KWAK **VOTED** YES COUNCILMAN MILLER VOTED YES SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

June 15, 1986

File: R-SUMR-YTH (Page 5)

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

WHEREAS, the GALASSO FAMILY ENTERPRISES, P.O.Box 189, Cobleskill, New York 12043, has heretofore applied for approval of Plumb Estates South Subdivision, and

WHEREAS, the Planning Board, Planning Consultant, Town Engineers and Police Chief have given their approval to the filing of this subdivision,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

- 1. That the Town Board of the Town of Lancaster hereby approves this subdivision known as Plumb Estates South Subdivision, filed by the Galasso Family Enterprises;
- 2. That the Town Clerk of the Town of Lancaster be and is hereby directed to properly endorse the approval of the Town Board of the Town of Lancaster on the linen copy thereof, and
- 3. That the Town Attorney be and is hereby directed to attend to the filing of said subdvision map in the Erie County Clerk's Office, and

BE IT FURTHER

RESOLVED, that it is a condiditon in this subdivision, for the issuance of an Occupancy Permit, that the contractor of each dwelling shall plant two (2) trees on each lot in the public right-of-way, said trees to be of a height, caliper and variety as to be directed by the Chairman of the Tree Planting Committee of the Town Board of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES COUNCILMAN GIZA VOTED YES COUNCILMAN KWAK VOTED YES COUNCILMAN MILLER VOTED YES SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN CZAPLA, TO WIT;

WHEREAS, the Executive Director of the Youth Bureau, by letter dated June 11, 1987, has recommended the appointment of JOSEPH LIPTAK and NANCY LESKO to the positions of tutor for the Youth Bureau's Tutorial Program, which is part of the Youth Services Budget,

NOW, THEREFORE, BE IT

RESOLVED, that JOSEPH LIPTAK, 15 Muskingum Street, Depew,
New York 14043, and NANCY LESKO, 4467 Arondale Drive, Williamsville, New
York, 14221 be and are hereby appointed to the positions of Tutor,
part-time temporary, for work with the Town of Lancaster Youth Bureau in
their Tutorial Program, at an hourly rate of \$5.00 per hour, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from their respective accounts:

Claim No. 1873 to Claim No. 2084 Inclusive.

Total amount hereby authorized to be paid:

\$ 230,933.26

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

June 15, 1987

FILE: R-CLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA, TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of Building Permits be and are hereby authorized:

NO.	<u>NAME</u>	<u>ADDRESS</u>	STRUCTURE
195	Michael Sebastiano	5726 Broadway	EXT. GARAGE
196	David Wright	160 Ransom Rd.	EXT. SIN. DWLG
197	Scott Metzgar	581 Aurora St.	ER. POOL
198	Leo. Zielinski & Son	1158 Penora St.	ER. GARAGE
199	Pioneer Dreams	5153 Transit Rd.	PLACE TEMP. SIGN
200	Francis Klug	4847 William st.	EXT. SIN. DWLG
201	Adam Chelpinski	5721 Genesee St.	ER. FENCE
202	Matthew Dombrowski	5859 Broadway	ER. FENCE
203	Daniel Andrews	441 Pleasant View Dr.	ER. SIN. DWLG, GARAGE
204	Professional Home Imp.	3 Country Pl.	EXT. SIN. DWLG
205	John Schuster	132 iroquois Ave.	ER. FENCE
206	Victor/Dawn Rizzo	12 Brunck Rd.	ER. SIN. DWLG, GARAGE
207	Marrano/Marc Equity	3 Shadyside La.	ER. SIN. DWLG, GARAGE
208	NDC Homes Inc.	12 Country Place	ER. SIN. DWLG, GARAGE
209	Marrano/Marc Equity	21 Shadyside La.	ER. SIN. DWLG, GARAGE
210	Marrano/Marc Equity	28 Shadyside La.	ER. SIN. DWLG, GARAGE
211	David Lazarski	34 Rollingwood	EX. SIN. DWLG
212	David Nitchke	2 Deerpath Dr.	ER. FENCE
213	Lawrence Rozek	9 Redlein Dr.	ER. GARAGE
214	Maria Amono	3 Partridge Walk	ER. FENCE
215	M/M/ Micahel Sobieski	39 Heritage Dr.	ER. FENCE
216	Marrano/Marc EQuity	37 Shadyside La.	ER. SIN. DWLG
217	Henry Romanowski	427 Schwartz Rd.	ALT. PORCH
and,			

BE IT FURTHER

RESOLVED, that Building Permit Application No. 206, be and is hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that Building Permit No. 203, Issued to Daniel Andrews, 441 Pleasant View Drive, to erect a single dwelling and garage, be conditioned upon the execution of an Agreement in recordable form which provides:

- that the applicant and his successor, grantees or assigns be obligated to grant an easement to the Town of Lancaster, if necessary, for the placement of a sidewalk across the frontage of the property, and
- 2. that the aforementioned applicant, his successors, grantees or assigns are as a part of said Agreement to place the sidewalk at their expense should the Town of Lancaster elect to have a sidewalk across the frontage of the subject premises.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

June 15, 1987

File: R-BLDG

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution - SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN CZAPLA, TO WIT:

WHEREAS, the Town of Lancaster wishes to adopt the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions (the "Plan") for the voluntary participation of all eligible employees; and

WHEREAS, the Town of Lancaster is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law, and

WHEREAS, the Town of Lancaster has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York, and

whereas, the purpose of the Plan is to encourage employees to make and continue careers with the Town of Lancaster by providing eligible employees with a convenient and tax-favored method of saving on a regular and long-term basis and thereby provide for their retirement,

NOW, THEREFORE, BE IT

RESOLVED, that the appropriate officials of the Town of Lancaster are hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation, and maintenance of the Plan, and

BE IT FURTHER

RESOLVED, that the Administrative Services Agency is hereby authorized to file copies of these resolutions and other required documents with the President of the State of New York Civil Service Commission.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

June 15, 1987

I hereby certify that the Town of Lancaster is a local public employer within the meaning of Section 5 of the State Finance Law and that the adoption of the Plan has received all required approvals of any local governing body or officer and otherwise complies with local law.

Witnesseth by:		TOWN OF LANCASTER				
Robert P. Thill, Town Clerk	By:	Stanley	Jay	Keysa,	Supervisor	
Consent of the Deferred Compensation Board of the State of New York to Local Public Employer's Participation	n					

STATUS REPORT ON UNFINISHED BUSINESS:

- 1. Public Improvement Permit Authorization Country View East Subdivision. Phase I (Marrano/Marc Equity).

 The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1987.
- 2. Public Improvement Permit Authorization Country View East Subdivision. Phase II and Phase III (Marrano/Marc Equity). This item remains under unfinished business until a retention basin is constructed on the Lancaster Sr. High School property.
- 3. Public Improvement Permit Authorization Country View East Subdivision. Phase IV (Marrano/Marc Equity).
 On March 16, 1987, the Town Clerk was authorized to issue P.I.P. Nos. 109 (street lighting), 110 (sidewalks), 111 (pavement and curbs), 112 (storm sewer), and 113 (water line).
- 4. Public Improvement Permit Authorization Countryside Subdivision, Phase II (Joseia Enterprises)
 On March 16, 1987, the Town Clerk was authorized to issue P.I.P. Nos. 102 (street lighting), and 103 (sidewalks). This item remains under unfinished business until the street lights and sidewalks are installed.
- 5. Public improvement Permit Authorization Heritage Hills Subdivision, Phase 1 The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
- 6. Public Improvement Permit Authorization Heritage Hills Subdivision, Phase II
 On March 16, 1987, the Town Clerk was authorized to issue P.I.P. Nos. 104 (water line), 105 (storm sewer), 106 (pavement and curbs), 107 (sidewalks), and 108 (street lighting).
- 7. Public Improvement Permit Authorization Lancaster Commerce Center The Town Board authorized issuance of P.I.P. Nos. 79 (water main) and 80 (retention basin) on June 6, 1983.
- 8. Public Improvement Permit Authorization Plumb Estates (Gallasso)
 The Town Board authorized issuance of P.I.P. Nos. 99 (storm sewer),
 100 (water line), and 101 (pavement and curbs) on October 6, 1986.
 The Town Board authorized issuance of P.I.P. Nos. 114 (street lights)
 and 115 (sidewalks) on April 28, 1987.
- 9. Rezone Petition James D. Dilapo. Jr.
 On May 19, 1987, this petition was referred to the Planning Board for review and recommendation. On June 1, 1987, the Town Board set a public hearing on this matter for June 15, 1987. On June 15, 1987, the Town Board held a public hearing on this matter and reserved decision.
- 10. Rezone Petition Josela Enterprises (Bowen Rd.)
 On June 2, 1986, this petition was referred to the Planning Board for review and recommendation.
- 11. Rezone Petition Josela Enterprises (5711 Broadway)
 On June 15, 1987, this petition was referred to the Planning Board for review and recommendation.

STATUS REPORT ON UNFINISHED BUSINESS CONT'D:

- 12. Rezone Petition Robert Kausner
 On May 18, 1987, the Town Board set a public hearing on this matter
 for June 1, 1987. On June 1, 1987, the Town Board held a public
 hearing on this matter and reserved decision. On June 15, 1987, the
 Town Board denied this rezone request. The Town Clerk was directed
 to remove this item from future Town Board agendas.
- 13. Rezone Petition John Nuttle and Phillip Martorana
 On April 6, 1987, this petition was referred to the Planning Board
 for review and recommendation. On May 18, 1987, the Town Board set a
 public hearing on this matter for June 1, 1987. On June 1, 1987, the
 Town Board held a public hearing on this matter and reserved
 decision. On June 15, 1987, the Town Board denied this rezone
 request. The Town Clerk was directed to remove this item from future
 Town Board agendas.
- 14. Rezone Petition Richard Uirich
 On May 14, 1987, this petition was referred to the Planning Board for review and recommendation. On June 1, 1987, the Town Board set a public hearing on this matter for June 15, 1987.
- 15. Subdivision Approval Indian Pine Village (William and Lake)
 On April 15, 1987, the Planning Board recommended to the Town Board
 approval of the final plot for this subdivision, pending a favorable
 review by the Town Engineer. On June 15, 1987, the Town Board
 approved this subdivision. The Town Clerk was directed to remove
 this item from future Town Board agendas.
- 16. <u>Subdivision Approval Meadowland (Bosse)</u> (Off Redlein Dr.)
 On November 6, 1986, this matter was referred to the Planning Board
 Chairman, Chief Fowler, Highway Superintendent, Town Engineer, and
 Town Planning Consultant for review and report.
- 17. Subdivision Approval "The Meadows" Subdivision (Gialianza) (Aurora) On July 7, 1986, this matter was referred to the Planning Board Chairman, Chief Fowler, Highway Superintendent, Town Engineer, and Town Planning Consultant for review and report. On September 3, 1986, the Planning Board recommended to the Town Board approval of this proposed subdivision. On September 26, 1986, the Planning Board rescinded their recommendation for approval of the preliminary plot previously adopted on September 3, 1986.
- 18. <u>Subdivision Approval Plumb Estates South (Galasso)</u>
 On May 13, 1987, this matter was referred to the Planning Board Chairman, Chief Fowler, Highway Superintendent, Town Engineer, and Town Planning Consultant for review and report. On June 15, 1987, the Town Board approved this subdivision. The Town Clerk was directed to remove this item from future Town Board agendas.
- 19. Traffic Study Intersection. Central Avenue and Impala Parkway
 On March 16, 1987, a request for a traffic light at this intersection
 was referred to the Police and Safety Committee and to the Police
 Chief for review and recommendation.
- 20. <u>Traffic Study Intersection, Genesee Street and Ransom Road</u>
 On December 1, 1986, the Town Board petitioned the NYSDOT for a lower speed limit in this area.

STATUS REPORT ON UNFINISHED BUSINESS CONT'D:

- 21. Traffic Study Speed Reduction, Peppermint Road
 On March 16, 1987, this matter was referred to the Police and Safety
 Committee and to the Police Chief for investigation and
 recommendation.
- 22. Zoning Ordinance and Map Update
 On June 15, 1983, Consultant Richard Brox conveyed a draft to the
 Town Board and Planning Board. Numerous joint sessions have been
 held to resolve areas of concern. SEQR review, on the ordinance
 only, was held on July 18, 1984. The proposed map has not been
 subjected to SEQR review.

PERSONS ADDRESSING THE TOWN BOARD:

Ken Kreiger, 5819 Genesee Street, complained to the Town Board about the assessment on his property at 5819 Genesee Street.

 $\mbox{Mr.}$ Kreiger was instructed to take his complaint to the Assessment Review Board.

Dennis Morgan, 1377 Ransom Road, thanked the Town Board for establishing a lower speed limit on Ransom Road.

DISPOSITION

387.	Town Attorney to Bella Vista Mgt., Inc Directive re: acceptance of Pasquale Dr. water line.	R & F
388.	Town Attorney to NYSE & G - Notice of acceptance of easement agreement form.	TOWN ATTORNEY
38 9 .	Town Attorney to National Fuel Gas Supply Corp Concerns relative to granting of easement	TOWN ATTORNEY
390.	Building Inspector to Town Board - Monthly report for May 1987.	R & F
391.	Wm. Muehibauer to Town Board - Resignation as Zoning Board member effective	R & F
392.	Town Clerk to Town Board	R & F
393.	Fischione Const. Co. to Supervisor Request final approval of Indian Pine Village	R & F
394.	Town Clerk to Zoning Board Members, Building Inspector and Dep. Town Attorney - Transmittal of five variance petitions for meeting to be held 6/11/87.	R & F
395.	Building Inspector to Town Board - Monthly report for April 1987.	R & F
396.	Building Inspector to Twin Lakes Homes - Advisement re: building permit.	R & F
397.	Town of Cheektowaga to Town Clerk - Transmittal of two resolutions re: property taxes.	R & F
398.	Town Clerk to Planning Board - Transmittal of Josela Enterprises rezone petition.	R & F
399.	N.Y.S. Public Employment Relations Board to CSEA, Highway Supt. and Supervisor - Notice of withdrawal of Case No. U-8828.	R & F
400.	Village of Depew to L.I.D.A Explanation of policy for industrial abatement and payments in lieu of taxes.	SUPERVISOR
401.	State of N.Y. Dep. Com. of Public Highways to Town Clerk - Certificate & Notice of Highway Closure Harris Hill Road 6/17/87 to completion.	R & F
402.	WECCO to Town Clerk - Inquiry as to status of quote for LIVING RAMP.	TOWN CLERK, B.I., SUPERVISOR
403.	Bowmansville Vol. Fire Assn. to Town Board - Recommendation of new members to active roster.	RεF
404.	Dog Control Officer to Town Board - Report for April and May 1987.	R & F
405.	Planning Board to Town Clerk - Minutes for Meeting #11 - 6/3/87.	R & F

COMMUNICATIONS CONT'D:

DISPOSITION

406.	Recommended approval of Giallanza Rezone Rademaker Estate	SEQR HEARING
407.	of Public Service -	R&F
	Re: Application to construct gas transmission _ pipeline	
408.	and Planning -	R & F
409.	County Dept. of Environment & Planning to	R & F
	Supervisor -	
410.	HUD to Supervisor - Re: Housing for elderly and/or handicapped Project 014-EH220/NY06-T811-007.	SUPERVISOR FOR REPLY
411.	Supervisor to Town Board - Re: inquiry to purchase lot south of 77 Westwood Road.	TOWN CLERK FOR RE- SUBMITTAL AT NEXT MTG WITH ENGLOSURES
412.	NYS Dept. of Environmental Conservation to Supervisor - Re: Bridge carrying William St. over Bflo.Crk.	R & F
413.	County Dept. of Public Works to Supervisor - Re: Pavement Br. 105-1 B.1.N. 3-32694-0.	R & F
414.	Youth Bureau Director to Supervisor & Town Board - Recommendation of appointment of tutors.	R & F
415.	Hinman, Straub, Pigors & Manning, P.C. to NYSALT Members - Re: Revenue Sharing.	R & F
416.	Youth Bureau Director to Supervisor & Town Board - Re: recommendation of staff for Summer Theater Workshop and Summer Art Program.	R & F
417.	Youth Bureau Director to Supervisor & Town Board - Request part-time secretary during summer months.	HUMAN SERVICES COMM.
418.	Lancaster residents to Town Board - 34 requests for denial of rezone to Ronald Ulrich, 6177 Broadway.	R & F
419.	John/Inez Sweet to Supervisor - Opposition to Ulrich rezone.	R & F
420.	Hinman, Straub, Pigors & Manning to Supervisor - Letter of appreciation for information concerning mandates legislation.	R & F
421.	Twin District Vol. Fire Co. to Supervisor - Re: letter to give to Supt. of Highways to perform work in parking lot.	R & F
422.	Town Clerk to Town Board - Re: Deferred Compensation Plan Town of Lancaster Employees.	TOWN CLERK FOR SUSPENDED RESOLUTION

COMMUNICATIONS CONT'D:

DISPOSITION

423.	Supervisor to Highway Superintendent - Re: Twin District Fire Co., Inc.	R & F
424.	Supervisor to Town Employee Bulletin Board - Re: Town response to State Labor hearing for permanent variances at Town Hall.	R & F
425.	County Dept. of Environment & Planning to Supervisor - Re: Erie County Sewer District No. 4 1186 Penora Street - Manhole.	SIDEWALKS COMM.
426.	NYS Division of Regulatory Affairs to Supervisor Re: Designation of Lead Agency - Plumb Estates South also complaints of flooding problems in Plumb Estates North.	R & F
	The Supervisor requested a suspension of the niate consideration of the following communications NSION GRANTED.	
427.	Town Engineers to Town Board - Comments re: acceptance of Indian Pine Village Subdivision.	RεF
428.	N.Y.S. Dept. of Environmental Conservation to Supervisor - Concurrence that Town act as Lead Agency re: Forest Stream Village.	TOWN CLERK
429.	Town Engineers to Town Board - Recommend baseball diamond lighting bid award to G&M Electrical Contractors.	R & F

ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:45 P.M. out of respect to:

EDWARD PFISTER
DOROTHY CIECIEREGA
JEAN WAISS
JOSEPH RENZONI
ALFRED SZYMANSKI

Signed

Robert P. Thill, Town Clerk